

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES CRARY,

Plaintiff,

v.

STATE OF WASHINGTON, et al.,

Defendant.

Case No. 3:24-cv-5666-TMC

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, Plaintiff James Crary's objections to the Report and Recommendation, and the remaining record, does hereby find and ORDER:

1. The Court adopts the Report and Recommendation.


a. The Court has conducted de novo review of the Report and Recommendation based on Mr. Crary's objections. Fed. R. Civ. P. 72(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). The Court has liberally construed Mr. Crary's letters and filings at Dkt. 17, 18, and 19 as objections.

b. Despite those objections, the Court agrees with Judge Christel’s analysis that the proposed complaint does not identify a basis for this Court’s jurisdiction and fails to state a claim upon which relief may be granted. The Court also agrees that leave to amend would be futile.

2. Plaintiff's Application to Proceed IFP (Dkt. 9) is denied and the proposed complaint is dismissed for failure to state a claim.

3. The Clerk is directed to send copies of this Order to Plaintiff and to the Hon. David W. Christel.

Dated this 8th day of November, 2024.


Tiffany M. Cartwright
United States District Judge